

Zoning Administrator Hearing



Minutes

**John S. Gendron
Hearing Officer**

February 24, 2009 – 1:30 p.m.

View Conference Room, 2nd Floor
55 North Center Street
Mesa, Arizona, 85201

Staff Present

Angelica Guevara
Mia Lozano-Helland
Lesley Davis

Others Present

Michelle Dahlke
Bob Briggs
Joe Fiumidinici

CASES

Case No.: ZA09-006

Location: 4121 East Pueblo

Subject: Requesting a Special Use Permit (SUP) to allow a detached accessory living quarters in the R1-9 zoning district.

Decision: Approved with the following conditions:

- 1. Compliance with the site plan submitted except as modified by the conditions below.*
- 2. The accessory living quarters shall not be leased or rented.*
- 3. Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Summary: Michelle Dalke represented the Special Use Permit request. Mr. Gendron discussed the request with the applicant and asked questions regarding the history of the structure, the entrance and visibility from the street. Mr. Sheffield provided a staff report and recommendation. There were no citizens present to speak regarding the case. Mr. Gendron approved the request as recommended in the staff report

Finding of Fact:

- 1.1 The SUP allows the development of a detached Accessory Living Quarters (ALQ) that will be located in the buildable area of the subject property. The structure will be the only one on the property and will not be served by separate utility services. In addition, the structure is 928

City of Mesa
Zoning Administrator Minutes
February 24, 2009

square feet in area, which is almost 32% of the roof area of the primary dwelling.

- 1.2 The detached ALQ was constructed by the previous property owner without the benefit of a building permit. The current property owner purchased the property in 2007. The current property owner has obtained a building permit for the garage and has submitted this request for a Special Use Permit in order to later request a building permit for the ALQ.
- 1.3 The subdivision consists of larger properties and ALQs are typical to accommodate guests and family. Further, the applicant has indicated that the ALQ is architecturally integrated with the primary dwelling, is served by the same utility services that serve the dwelling, and the ALQ are occupied by the property owner's sister and are not leased or rented. As a result, the ALQ will be compatible with, and not detrimental to, adjacent properties or the neighborhood in general.

City of Mesa
Zoning Administrator Minutes
February 24, 2009

Case No.: ZA09-005

Location: 2260 East Main Street

Subject: Requesting a Substantial conformance Improvement Permit (SCIP) to facilitate the redevelopment of an RV Sales Lot into a RV Sales and Storage Facility in the C-3 zoning district.

Decision: Approval with the following conditions:

- 1. Compliance with the site plan submitted*
- 2. Compliance with the number of trees and shrubs approved for the perimeter of the site on the landscape plan for DR96-103.*
- 3. Compliance with the requirements of the Design Review Board (DR09-05)*
- 4. Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Summary: Robert Briggs represented the SCIP request. Mr. Gendron discussed the request with the applicant and asked questions regarding the nature of the business. Mr. Briggs clarified that the business will be a storage facility for RVs and preparing them for trips by the owners of the RVs. There will be no vehicle maintenance or repair. Ms. Davis provided a staff report and recommendation. Mr. Fiumidinici, manager of an adjacent mobile home park, asked questions about the lighting and security of the site. A discussion followed regarding these issues. Mr. Gendron approved the request as recommended in the staff report

Finding of Fact:

- 1.1** The Substantial Conformance Improvement Permit (SCIP) allows the redevelopment of a 9.8 acre site that was previously used for RV Sales and Service and converting it to a small area for RV Sales with RV Storage on the majority of the site. The applicant is also proposing to install 190,722 square feet in open canopies, which requires Design Review Board approval. The SCIP allows the intensification of an existing nonconforming site without bringing the entire site into conformance with current development standards.
- 1.2** The proposal includes:
- modification to the parking area at the corner to accommodate the new sales area with additional landscape islands to more closely comply with current code requirements;
 - the installation of 190,722 s.f. in open canopies for the storage area;
 - new and replacement landscaping;
 - new masonry walls to separate the public parking and RV sales area from the storage area, while utilizing the existing perimeter masonry wall with wrought iron, which allow visibility into the RV storage area;
 - reductions in foundation base landscape requirements to allow it to remain as it currently exists, no changes are proposed for the building.
- 1.3** As justification for the request, the applicant has noted: 1) the site will be upgraded with the

City of Mesa
Zoning Administrator Minutes
February 24, 2009

replacement of landscaping and the addition of new landscaping along Main Street in the RV Sales and public parking area; 2) The RV Sales area will be reconfigured and will include new landscape islands to more closely meet current code requirements; and 4) the covered parking canopies will include vertical screened elements that add architectural character to the southernmost canopies along Main Street.

- 1.4** Compliance with current Code development standards in relation to setbacks and foundation base will result in the elimination of an existing row of parking along Main Street and require demolition of the parking in front of the existing building. In addition to maintenance of the existing mature perimeter landscaping and replacement of the landscaping that has been removed, the applicant has provided additional landscape islands in the RV Sales area. Given the relatively minimal change to the site plan and use of the property, the landscape improvements and upgraded canopy design along Main Street, provide reasonable revisions to the site to justify the SCIP. Consequently, the site plan represents substantial conformance with current development standards.

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City of Mesa
Zoning Administrator Minutes
February 24, 2009

Case No.: ZA09-001TC

Location: 58 North Country Club Drive

Subject: Requesting a Special Use Permit to allow development of a Comprehensive Sign Plan in the TCB-1 zoning district.

Decision: Continuance to the April 21, 2009 hearing.

Summary: The continuance is requested to allow time for this case to be advertised for the Downtown Development Committee.

Finding of Fact: N/A

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There being no further business to come before the Zoning Administrator, the hearing adjourned at 2:08 p.m.

The cases for this hearing were digitally recorded and available upon request.

Respectfully submitted,

John S. Gendron
Hearing Officer

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